UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ANYENY M. MARTINEZ,

Plaintiff,

-against-

GARDEN PHARMACY, INC., SAFEWAY PHARMACY, INC., RAY'S PHARMACY, INC., 145TH STREET PHARMACY, INC., and SAGNIA BALBUENA

Defendants.

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<u>ORDER</u>

ANDREW L. CARTER, JR., United States District Judge:

The Court is in receipt of Plaintiff Anyeny Martinez's notice of voluntary dismissal (ECF No. 14-1), Defense Counsel's letter requesting that the Court dismiss this action pursuant to Rule 41(a)(1)(A)(i) (ECF No. 14), Plaintiff's Counsel's letter requesting an evidentiary hearing (ECF No. 15), and Defense Counsel's reply (ECF 16).

Plaintiff and Defendant Sagnia Balbuena should submit affidavits as to their interactions throughout the course of this litigation and specifically, whether there was any agreement reached between parties prior to Plaintiff's submission of her voluntary dismissal. Plaintiff's counsel and Defendants' counsel should also submit affidavits.

SO ORDERED.

Dated: December 24, 2016

New York, New York

ANDREW L. CARTER, JR. United States District Judge